

Appendix F: Wilderness Minimum Requirement Analysis



Wilderness Minimum Requirement Analysis (2010 Form)

PROJECT TITLE:

PREPARED BY:

DATE:

PARK UNIT:

Wilderness Guidance and Policy:

Management of Recommended/Suitable Wilderness

In accordance with the Wilderness Act (PL 88-577, 16 USC 1131-1136) and the acts establishing Arches and Canyonlands National Parks, Arches, Canyonlands and Natural Bridges have received preliminary or detailed study for inclusion in the National Wilderness Preservation System. Lands recommended or suitable for wilderness are identified in reports for each park (Wilderness Recommendations for Arches and Canyonlands, Wilderness Suitability Study for Natural Bridges). NPS Management Policies (Chapter 6, Wilderness Preservation and Management) direct that lands recommended or suitable for wilderness be managed the same as designated wilderness until Congress and the President have taken final action (i.e., wilderness designation or release): "The NPS will take no action that would diminish the wilderness suitability of an area possessing wilderness characteristics until the legislative process has been completed. Until that process has been completed, management decisions pertaining to recommended wilderness and wilderness study areas will be made in expectation of eventual wilderness designation. Consequently, the National Park Service will manage suitable, study area, proposed, and recommended wilderness (together with the potential wilderness within them) as wilderness, to the extent that existing nonconforming uses will allow, and will seek to remove the temporary conditions that preclude wilderness designation."

Definition of Wilderness

The Wilderness Act defines wilderness as follows (section 2c):

"A wilderness, in contrast with those areas where man and his works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled [untamed, unrestricted, unshackled] by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also

contain ecological, geological, or other features of scientific, educational, scenic, or historical value."

Activities Generally Prohibited in Wilderness

Section 4(c) of the Act limits commercial enterprises to those specifically provided for in the Act, and states: "...except as necessary to meet the minimum requirements for the administration of the area for the purposes of this Act [i.e., as wilderness] (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area." Section 4(d)6 permits commercial services "to the extent necessary...for realizing the recreational or other wilderness purposes of the areas."

Minimum Requirement Process

NPS Management Policies (section 6.3.5) direct that "parks will complete a minimum requirement analysis on those administrative practices and equipment use that have the potential to impact wilderness resources or values", including otherwise-prohibited activities. Examples of activities to be evaluated under the minimum requirement process include:

- activities listed in section 4(c) of the Wilderness Act above
- scientific/research activities involving motorized equipment, structures, aircraft etc.
- fire management
- telecommunications facilities
- trails and trail maintenance structures
- campsite structures/facilities
- signs
- resource management (natural or cultural)

The minimum requirement process is to be applied to determine "(1) whether or not the proposed management action is appropriate or necessary for administration of the area as wilderness, and does not pose a significant impact to wilderness resources and character, and (2) the techniques and type of equipment needed to ensure that impact to wilderness resources and values is minimized. When determining minimum requirement, the potential for disruption of wilderness character and resources will be considered before, and given significantly more weight than, economic efficiency and convenience. If a compromise of wilderness resources or character is unavoidable, only those actions that preserve wilderness character and/or have localized, short-term adverse effects will be acceptable."

"The minimum requirement concept cannot be used to rationalize permanent roads or inappropriate or unlawful uses in wilderness. Administrative use of motorized equipment or mechanical transport will be authorized only:

- a. If determined by the superintendent to be the minimum requirement needed by management to achieve the purposes of the area as wilderness, including the preservation of wilderness character and values; or
- b. In emergency situations (search and rescue) involving the health or safety of persons actually within the area"

(Section 6.3.10, Management Facilities) "Part of the definition of wilderness provided by the Wilderness Act is 'undeveloped federal land retaining its primeval character and

influence, without permanent improvements.' Accordingly, authorizations of NPS administrative facilities located in wilderness will be limited to the types and minimum number essential to meet the minimum requirements for the administration of the wilderness area. A decision to construct, maintain, or remove an administrative facility will be based primarily on whether or not such a facility is required to preserve wilderness character or values, not on considerations of administrative convenience, economy of effect, or convenience to the public or park staff."

Ideally, wilderness areas are to be managed without leaving behind physical evidence of modern humans. Though many wildernesses have some developments present, these exceptions to the ideal are allowed only as authorized by Section 4(c) of the Act, "...which (1) **generally** appears to have been affected **primarily** by the forces of nature, with the imprint of man's work **substantially** unnoticeable..." (emphasis added). This means there are no absolutes. The criteria for inclusion of an area as wilderness do not require a pristine ecology and absolutely no evidence of human activities, but rather that human imprint may exist but cannot dominate in wilderness.

The following worksheet guides and documents the minimum requirement process: first, to determine if the project or activity proposed is the minimum necessary for administration of the area for the purpose of the Act, and second, to determine which techniques or types of equipment will have the least impact to the wilderness resource. Written documentation is only necessary if the analysis results in a request for activities generally prohibited by section 4(c) of the Wilderness Act (structures or installations, motorized equipment, mechanical, transport, and aircraft).

Wilderness Minimum Requirement Decision Guide Worksheet

This worksheet is to assess whether the project is the **minimum** required action for administration of the area as wilderness.

STEP 1: Determine if any administrative action is necessary?

Description: *(Briefly describe the situation that may prompt action)*

A. Describe Options Outside of Wilderness. Is action necessary **within** wilderness?

Yes: ☐ No: ☐

Explain:

B. Describe Valid Existing Rights or Special Provisions of Wilderness Legislation.

Is action necessary to satisfy valid existing rights or a special provision in wilderness legislation (the Wilderness Act of 1964 or subsequent wilderness laws) that allows or requires consideration of the Section 4(c) prohibited uses? Cite law and section.

Yes: ☐ No: ☐

Explain:

C. Describe Requirements of Other Legislation. Is action necessary to meet the requirements of other laws? Cite law and section.

Yes: ☐ No: ☐

Explain:

D. Other Guidance Is action necessary to conform to direction contained in agency policy, unit and wilderness management plans, species recovery plans, or agreements with tribal, state and local governments or other federal agencies?

Yes: ☐ No: ☐

Explain:

E. Wilderness Character: How would the action contribute to the preservation of wilderness character as described by the components below:

Untrammeled (Wilderness is ideally unhindered and free from modern human control or manipulation):

Undeveloped (Wilderness has minimal evidence of modern human occupation or modification):

Natural (Wilderness ecological systems are substantially free from the effects of human use, e.g. visitation and/or management activities. Changes in wilderness areas should be the result of natural conditions.)

Outstanding opportunities for solitude or a primitive and unconfined type of recreation (Wilderness provides opportunities for people to experience natural sights and sounds, solitude, freedom, risk, and the physical and emotional challenges of self-discovery and self-reliance.)

Unique Attributes or Other Features that reflect the character of this wilderness:

F. Describe the effects to the public purposes of wilderness: How would this action support the public purposes for wilderness (as stated in Section 4(b) of the Wilderness Act) of recreation, scenic, scientific, education, conservation, and historical use?

Recreational: Yes: ☐ No: ☐

Explain:

Scenic: Yes: ☐ No: ☐

Explain:

Scientific: Yes: ☐ No: ☐

Explain:

Educational: Yes: ☐ No: ☐

Explain:

Conservation: **Yes:** ☐ **No:** ☐

Explain:

Historical: **Yes:** ☐ **No:** ☒

Explain:

STEP 1: Decision: Is any administrative action necessary in wilderness?

In reviewing the Step 1 questions in A - F above, note that not all answers have equal weight in the Step 1 Decision: A - C and E have first priority; F has second priority; D has third priority.

Yes: ☐ **No:** ☐

Explain:

STEP 2: Determine the Minimum Activity – *How the action will be done*

Description of alternative methods to accomplish the proposed action: For each alternative, describe what methods and techniques will be used, when and where the action will take place, the impacts to the wilderness character, and what mitigation measures are necessary.

Alternative 1:

Methods and techniques:

When and where the action will take place:

Impacts to wilderness character:

Untrammeled:

Undeveloped:

Natural:

Solitude or Primitive and Unconfined Recreation:

Unique Attributes or Other Features:

Maintaining Traditional Skills:

Special Provisions:

Economics and Timing Constraints:

Impacts to safety of visitors and workers:

Mitigation measures (if needed):

Alternative 2:

Methods and techniques:

When and where the action will take place:

Impacts to wilderness character:

Untrammeled:

Undeveloped:

Natural:

Solitude or Primitive and Unconfined Recreation:

Unique Attributes or Other Features:

Maintaining Traditional Skills:

Special Provisions:

Economics and Timing Constraints:

Impacts to safety of visitors and workers:

Mitigation measures (if needed):

Alternative 3:

Methods and techniques:

When and where the action will take place:

Impacts to wilderness character:

Untrammelled:

Undeveloped:

Natural:

Solitude or Primitive and Unconfined Recreation:

Unique Attributes or Other Features:

Maintaining Traditional Skills:

Special Provisions:

Economics and Timing Constraints:

Impacts to safety of visitors and workers:

Mitigation measures (if needed):

Comparison of Alternatives

It may be useful to compare each alternative's positive and negative impacts to each of the criteria in tabular form, keeping in mind the law's mandate to "preserve wilderness character."

	Alternative A	Alternative B	Alternative C	No Action
Untrammelled				
Undeveloped				
Natural				
Solitude or Primitive and Unconfined Recreation				
Unique / Other Features				
WILDERNESS CHARACTER				

	Alternative A	Alternative B	Alternative C	No Action
Maintaining Traditional Skills				
Special Provisions				
Economics & Timing				
OTHER CRITERIA SUMMARY				

	Alternative A	Alternative B	Alternative C	No Action
SAFETY (visitors & workers)				

Step 2 Decision: What is the Minimum Activity?

Selected alternative:

Rational for selecting this alternative (including safety criterion, if appropriate):

Describe monitoring, mitigations and reporting requirements to minimize impacts on wilderness character:

APPROVALS:

Check any Wilderness Act Section 4(c) prohibited uses approved in selected alternative:

- | | |
|---|--|
| <input type="checkbox"/> mechanical transport | <input type="checkbox"/> landing of aircraft |
| <input type="checkbox"/> motorized equipment | <input type="checkbox"/> temporary road |
| <input type="checkbox"/> motor vehicles | <input type="checkbox"/> structure or installation |
| <input type="checkbox"/> motorboats | |

☐ Reviewed and Approved

☐ Revised and Approved

☐ Not Approved

Approvals	Signature	Name	Position	Date
Prepared by:			Project Leader	
Recommended:			Division Chief	
Approved:			Wilderness Coordinator	
Approved:			Superintendent	